

FILED
Asheville

May 23 2024

U.S. District Court
Western District of N.C.

To: Clerk of Court
US District Court
Western District of North Carolina

I Craig Balfour am filing in the Western District of North Carolina District Court of the United States of America and claiming interest and ownership of property seized by the Dept. of Homeland Security in Cherokee, NC and being held by the US Customs and Border Patrol in Charleston, SC.

I am seeking relief and petitioning this Court for the release of this property, as the legal lawful owner:

Craig Balfour 196743
SCDF
950 California Ave
Spartanburg, SC 29303

Property: est \$18,500
Seized: David Miller /CO Homeland Security
Custody receipt# 6268711 (DHS Form 6051S(08/09)
Date: March, 12 2024
Held by: US Customs and Border protection
Charleston, SC

Summary of Incident

On March, 12th 2024 I was pulled over in a traffic stop in Cherokee, NC for crossing the center line. I was then searched and indicated to the officer I had roughly \$19,000 in cash on my person. I was given warning and was not charged with any crime from this traffic stop.

David Miller an ICO with the Dept of Homeland Security arrived during this traffic stop. He asked what the source of and why I was traveling with that amount of cash. I told him that on March, 9 2024 I cashed a check for \$89,000 that was from a lawsuit settlement and the check was issued from the Berger Law Firm and the bank that cashed the check was the 1st Community Bank both located in Columbia, SC. I also stated I was in Cherokee, NC visiting Harrah's Casino and I also work in the western NC area as a contractor in construction but was currently here on vacation visiting the casino. Mr. Miller then went to his car and returned stating he found no CTR and I had no physical proof on me he was going to hold this money until this could be verified and it would then be returned at no point did he indicate that it would or could be seized due to any illegal activity.

I later contacted the bank manager at 1st Community Bank and he stated all the proper paperwork had been filed and there should be no issues concerning the CTR. I also received an invoice from Joel Hughes an Attorney with the Berger law firm.

I then contacted David Miller and he stated the money was turned over to US Customs and Border Protection and I would receive a letter from them and that he was unfamiliar with the process of how to get my money returned. As of 4/5/24 I had not received any letter I then contacted David Miller again he said he would reach out to them I asked if there was going to be any issues getting this returned to me again he stated he did not know the process but it would not be an issue with the documentation.

I contacted the Civil Asset division of the Custom Border Protection in Charleston, SC they stated that it had not been reviewed at this point. On or about 4/25/24 I mailed a letter to them stating my legal ownership and the lawful source of this property and informed them of my new address being SCDF 950 California Ave, Spartanburg, SC 29303 and requested the release of this property. As of 5/15/24 and I have not received any correspondence concerning this matter.

I pray this court grant this relief and I petition this Court for immediate release of this property based on there is no genuine issue or dispute to any of the material facts stated above and the following points

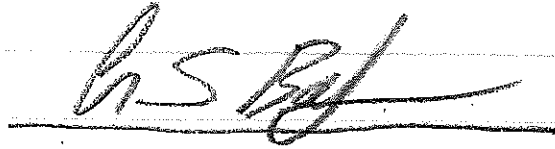
- 1) I Craig Baltimore have claimed Interest in and is the legal owner of this property
- 2) The currency was recieved lawfully from a settlor that I was represented by Joel Husher with the Berger Law Firm
- 3) A check was cashed by and a CTR was filed by the 1st Community Bank on Forest Dr Columbia, SC
- 4) United States Custom and Border Patrol has not given notice of or intent to file Civil Forfeiture
- 5) ICD David Miller of Homeland Security only indicate property was being held until the source and CTR could be confirmed
- 6) Government needs more than mere suspicion to claim Forfeiture and has no evidence and no probable cause that this property is subject to Civil Forfeiture.
- 7) I gave a credible explanation and my response has been consistent with legal counsel and had reasonable and legitimate travel plans

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I Craig S Balfour swear under penalty of Law that all the statements stated above are factual and I Thank this Court for it's time and consideration in this matter

Sincerely,

Craig S Balfour

A handwritten signature in black ink, appearing to read 'CS Balfour', written over a horizontal line.

May, 20th 2024